



Shapiro Arato Bach LLP

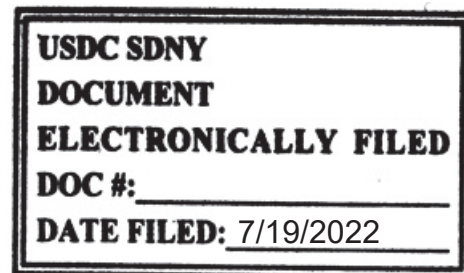
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July 15, 2022

Via ECF

The Honorable Robert W. Lehrburger
500 Pearl Street, Room 1960
United States Courthouse
New York, NY 10007



**Re: Hedgeye Risk Management, LLC v. Dale, 21-cv-3687 (ALC)(RWL):
Request to Seal Documents**

Dear Judge Lehrburger:

We represent Defendants Darius Dale, Steven Lamar, and 42 Macro LLC in the above-referenced matter. We write to request that Exhibit B, which includes an excerpt from Hedgeye President Michael Blum and references thereto in Defendants' motion to compel be filed under seal.

We request sealing only in order to comply with our obligation under the Protective Order in this case, because Hedgeye designated these materials "Highly Confidential-Attorneys' Eyes Only." Hedgeye's designations are improper and unjustifiable. Until these designations are removed, however, Defendants will treat these materials confidentially as the Protective Order requires.

Respectfully,

/s/ Jonathan P. Bach

Jonathan P. Bach

The Court has reviewed the material submitted for sealing. The application to seal is denied as the material at issue does not meet the Second Circuit standards for sealing. Additionally, the order at Dkt. 290 is rescinded for the same reason, and the motion to seal at Dkt. 287 is denied.

SO ORDERED:

7/19/2022

A handwritten signature in black ink, appearing to be 'R. Lehrburger'.

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE